

REMARKS

Prior to entry of this amendment, claims 1-5, 7-18, and 20-25 are currently pending in the subject application. Claims 1, 3, 5, 7, 8, 12, 14, 16-18, and 20-25 have been amended. Claims 1, 12, 21 and 23 are independent.

A. Introduction

In the outstanding Office Action Made Final,

- a) claims 5, 16, 21, 22 and 25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention;
- b) claims 1-5, 8-18, 21 and 23-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by “Key Agreement in ad hoc Networks,” *Computer Communications*, Volume 23, Number 17, 1 November 2000 to Asokan et al. (“the Asokan et al. reference”); and
- c) claims 7, 20 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Asokan et al. reference in further view of “Applied Cryptography” second edition, 1996 to Schneier (“the Schneier reference”).

These rejections are respectfully traversed for at least the reasons set forth below.

B. Applicant Initiated Interview Summary

On May 7, 2008, an applicant-initiated interview was conducted at the U.S. Patent and Trademark Office between applicants’ representative and Examiner Shan. Applicants thank the Examiner for the courtesies extended to applicants’ representative during the interview. As required by 37 C.F.R. § 1.133(b), applicants herewith provide a summary of that interview:

1. Brief Description of any Exhibit Shown

No exhibit was shown or demonstrated during the interview.

2. Identification of the Claims Discussed

The Examiner and applicants' representative generally discussed all of the pending claims, with particular attention to independent claims 1, 12, 21 and 23, in view of the amendments made thereto by the RCE of April 4, 2008.

3. Identification of the Specific Prior Art Discussed

The Examiner and applicants' representative discussed the Asokan et al. reference.

4. Identification of the Proposed Amendments

Amendments to further clarify the terminology used, particularly use of the first group key and clearer delineation between the initial and modified second group keys, were discussed.

5. Summary of the Arguments Presented to the Examiner

Applicants' representative presented arguments regarding independent claims 1, 12, 21 and 23, *viz.*, that the amendments made to claims 1, 12, 21 and 23 in the RCE of April 4, 2008, are sufficient to overcome the outstanding rejection thereof under 35 U.S.C. §§ 102(b) and 103(a) over the Asokan et al. reference.

In particular, the keys in the Asokan et al. reference are session keys, which both remain in use for an entire session. In contrast, as recited in the independent claims, the second key is modified at some predetermined time period within the session, i.e., during use of the first group key.

6. General Indication of Other Pertinent Matters Discussed

No other pertinent matters were discussed during the interview.

7. General Outcome of the Interview

The Examiner indicated that she understood the arguments advanced by applicants' representative. However, the Examiner took no position as to whether the amendments to the

claims are sufficient to overcome the cited prior art references. Thus, no agreement regarding the claims was reached.

C. Asserted Indefiniteness Rejection of Claims 5, 16, 21, 22 and 25

In the outstanding Office Action Made Final, claims 5, 16, 21, 22 and 25 were rejected under 35 U.S.C. § 112, second paragraph. Claims 5 and 16 have been amended to clarify that the key distribution center function therein is the same as that of their respective base claims. Claim 21 has been amended to clarify that the ad hoc group includes other wireless terminals. The indication in the Advisory Action that these amendments are sufficient to overcome the rejection is gratefully acknowledged. Therefore, it is requested that this rejection be withdrawn.

D. Asserted Anticipation Rejection of Claims 1-5, 8-18, 21 and 23-25

In the outstanding Office Action Made Final, claims 1-5, 8-18, 21 and 23-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Asokan et al. reference. This rejection is traversed for at least the reasons set forth below.

Independent claims 1, 12, 21 and 23 now recite, inter alia, “wherein at least one modified group key is transmitted and used to encode data during use of the first group key.” Support for these limitations may be found, for example, in paragraph [0025] of the original specification on the first line of page 10. As noted in paragraphs [0026] and [0041] of the original specification, by having the second group key modified at a predetermined time that is a subset of the time during which the first session key is used, the vulnerability to hackers is reduced.

In contrast, the P5 “session key” in the Asokan et al. reference, relied on as teaching this feature, is generated **once** for each communication session and then discarded. In particular, in the Asokan reference both a first group key and a second group key are generated for a session. Thus, in the Asokan et al. reference, the P5 session key is modified for each new session and is discarded at the end of that session, e.g., after an undetermined time period.

In contrast, as now further clarified in the independent claims, the predetermined modification time period allows at least one modified second group key to be used during the communication session, increasing security while simplifying use.

Therefore, it is respectfully submitted that the Asokan et al. reference fails to disclose or suggest the subject matter recited in independent claims 1, 12, 21, and 23. The remaining rejected claims depend, either directly or indirectly, from respective ones of these independent claims, and are believed to be allowable for at least the reasons their respective base claims are believed to be allowable. Therefore, it is respectfully requested that this rejection be withdrawn.

E. Asserted Obviousness Rejection of Claims 7, 20 and 22

In the outstanding Office Action Made Final, claims 7, 20 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Asokan et al. reference further in view of the Schneier reference. This rejection is traversed for at least the reasons discussed below.

The Schneier reference fails to provide the teachings noted above as missing from the Asokan et al. reference. Claim 7 depends from independent claim 1, claim 20 depends from independent claim 12, and claim 22 depends ultimately from independent claim 21. Hence, claims 7, 20 and 22 are allowable as being dependent on an allowable base claim. Therefore, it is respectfully requested that this rejection be withdrawn.

F. Conclusion

The above remarks demonstrate failings of the rationales underlying the outstanding rejections, and are sufficient to overcome the outstanding rejections. However, these remarks are not intended to, nor need they, comprehensively address each and every reason for the patentability of the claimed subject matter over the applied art. Accordingly, applicants submit that the claims are allowable for reasons including, but not limited to, those set forth above, and

patentability of the claims does not depend solely on the particular claim element discussed above.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

Respectfully submitted,

LEE & MORSE, P.C.



Susan S. Morse, Reg. No. 35,292

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LEE & MORSE, P.C.
3141 FAIRVIEW PARK DRIVE, SUITE 500
FALLS CHURCH, VA 22042
703.207.0008 TEL
703.207.0003 FAX

PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.